

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21858 of 2016

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1. Bachi Devi Wife of Brajendra Singh, resident of Gram Panchayat- Chauria, P.S.- Belchi, District- Patna
 2. Dinesh Yadav, son of Pragas Yadav, resident of village- Bheth, P.S.- Belchi, District- Patna
 3. Sudhir Kumar, son of Sri Krishna Kumar, resident of village and P.S. Bihar Sharif (Bari Sahari), District- Nalanda
 4. Mahesh Prasad Singh @ Mahesh Singh, son of Late Maksudan Singh, resident of Gram Panchayat- Chauria, P.S.- Belchi, District- Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 27-06-2016

Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case instituted under Sections 409, 420 and 120B of the Indian Penal Code.

Allegation against the petitioners is that they have violated the MNREGA Scheme and defalcated Government money.

It is submitted on behalf of the petitioners that petitioner no. 3 has got no criminal antecedent. Petitioners have falsely been implicated in the present case. Petitioner no. 1 happened to be the Mukhiya at the relevant time. Police after investigation has submitted final form against the petitioners which is evident from Annexure-2 to the present application but the court below differing with the police report has taken cognizance under Section 120 B of the Indian Penal Code.

On behalf of the State, it is submitted that petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest or surrender in the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Patna, in connection with Belchhi P.S. Case no. 17 of 2012, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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